

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 17, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District

//

The meeting was called to order at 8:20 p.m. by Vice Chairman John R. Byers.

//

COMMISSION MATTERS

Commissioner Alcorn announced that two Outreach sessions had been sponsored by the Development Criteria Review Committee where information was disseminated and input received on the suggested revisions to the development criteria used to evaluate land use applications. He noted that a public hearing on the matter would be scheduled soon and that the Committee would meet again on Thursday, May 2, 2002 at 7:00 p.m.

//

FSA-V97-57-1 - AT&T WIRELESS SERVICES - 10112 Furnace Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-V97-57-1.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

FSA-Y97-1-1 - SPRINT PCS - 13873 Park Center Road

Commissioner Koch MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-Y97-1-1.

Commissioners de la Fe and Hall seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Murphy and Smyth absent from the meeting.

//

FSA-69-1 - AT&T WIRELESS SERVICES - 10700 Parkridge Boulevard

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-69-1.

Commissioner DuBois seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

FS-D01-58 - OMNIPOINT/VOICESTREAM COMMUNICATIONS - 7251 Idylwood Road

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-D01-58.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION ACCEPT THE WITHDRAWAL OF 2232-D01-35, NEXTEL COMMUNICATIONS.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

SE-01-M-036 - PINECREST SCHOOL, INC. (Decision Only)

(The public hearing on this application was held on February 13, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Hall asked the applicant's representative, Ms. Meagan Micozzi, a planner with McGuire, Woods, Battle and Booth, to list the agreed upon changes to the proposed development conditions.

Ms. Micozzi listed the following:

Condition 3, change the revision date on the SE plat from 3/18/02 to 4/10/02.

Condition 5, after: "a solid barrier" add "which may include a board-on-board wooden fence."

Condition 10, strike the word "pervious."

Condition 12, change "Sheet A2" to "elevations drawings, entitled Pinecrest School."; strike "100 percent design development;" add "revised grade school building" and change the date to 4/11/02.

Condition 24, strike "In addition, a six-foot board-on-board fence shall be provided." and then the words "and fencing" after the beginning of the next sentence.

Condition 25, add, after "the southern property line" the phrase "as shown on the special exception plat."

Condition 27, strike altogether.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-01-M-036, AS SUBMITTED, WITH THE CONDITIONS AMENDED AS PREVIOUSLY DISCUSSED BY THE APPLICANT, MEAGAN MICOZZI, SPECIFICALLY CONDITIONS 3, 5, 10, 12, 24, 25 AND DELETION OF 27.

Commissioner Koch seconded the motion which carried by a vote of 8-0-2 with Commissioners Byers and Harsel abstaining; Commissioners Murphy and Smyth absent from the meeting.

Commissioner Hall MOVED THAT WE MODIFY THE TRANSITIONAL SCREENING REQUIREMENTS PER THE SPECIAL EXCEPTION PLAT AND THE DEVELOPMENT CONDITIONS.

Commissioner Koch seconded the motion which carried by a vote of 8-0-2 with Commissioners Byers and Harsel abstaining; Commissioners Murphy and Smyth absent from the meeting.

//

FSA-V96-11 - AT&T WIRELESS SERVICES - 6040 Richmond Highway

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FSA-V96-11-1.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. S98-CW-1CP(B) - OUT-OF TURN PLAN AMENDMENT (Springfield CBC)
2. RZ-2001-SU-051 - PULTE HOME CORPORATION
FDP-2001-SU-051 - PULTE HOME CORPORATION
3. SE-01-M-052 - COMBINED PROPERTIES LIMITED PARTNERSHIP
4. SE-01-Y-051 - HUMANE SOCIETY OF FAIRFAX COUNTY, INC.

This order was accepted without objection.

//

S98-CW-1CP(B) - OUT-OF-TURN PLAN AMENDMENT
(Springfield CBC) - To consider proposed revisions to the Adopted Comprehensive Plan for Fairfax County in accordance w/the *Code of Virginia*, Title 15.2, Chap. 22 concerning the Springfield CBC, S. of the Yates Village subdivision, W. of I-95/I-395, generally N. of the Franconia-Springfield Pkwy, & E. of the Springvale community. The subject area is bisected E. to W. by Old Keene Mill Rd. The amendment considers changes to the Plan for mixed use, retail, residential, hotel, cultural and office development. Changes to the Transportation Plan will also be considered.
PUBLIC HEARING.

Mr. Jayjeev Hada, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that the Springfield CBC Task Force recommendations were in the staff report and that staff comments and alternative recommendations were included only where they differed from the Task Force.

In response to questions from Commissioner Byers, Mr. Jaak Pedak, Department of Transportation, explained how the main street concept would apply to the Springfield CBC. He noted that it included streetscape elements and making the area more pedestrian-friendly.

He added that there was no specific document outlining the main street concept, but that details were included in the staff analysis of this proposed Plan Amendment.

In response to additional questions from Commissioner Byers, Mr. Pedak explained that the staging area recommended in the transportation recommendations referred to the so-called "slug" lines where impromptu car pools were formed.

In response to questions from Commissioner Wilson, Ms. Marianne Gardner, PD, DPZ, explained that the heavy bold line off to the east on the accompanying map indicated the boundaries of the Springfield revitalization area, only a portion of which was included in this Plan Amendment.

In response to questions from Commissioner Harsel, Mr. Pedak confirmed that staff was recommending a parking facility in Land Unit A.

There being no further questions from the Commission at this time, Vice Chairman Byers called for speakers and listed the rules for public testimony.

Dean Crowhurst, Esquire, with McGuire Woods LLP, representing Springfield Plaza in Land Unit B, supported the proposed language for that land unit, with the exception of the recommendation for streetscaping on the southern border adjacent to Old Keene Mill Road.

Commissioner Kelso commented that he agreed and would be recommending that the words "and southern" be deleted from the proposed text.

Jeffrey Huber, Esquire, with Walton and Adams, representing Kay Jennings Springfield Toyota, explained that the car dealership wished to expand and revitalize its facility and, to that end, hoped to acquire the American Legion property in Land Unit D2. He said he understood that the American Legion planned to relocate to Land Unit A. Mr. Huber asked that the language for D2 be amended to include an option for the dealership's expansion. (A letter from Randall Greehan, Esquire, an associate of Mr. Huber's, is in the date file.)

In response to questions from Commissioner Harsel, Mr. Huber said he would be happy to work with the Task Force, the Commission and staff to investigate the possibility of amending the language for Land Unit A where the parking garage was planned.

Commissioner Kelso noted that Mr. Michael Jennings, of Springfield Toyota, had been a member of the Springfield CBC Task Force, but that Mr. Huber's proposal was completely new. He explained that it was too late in the process to substantially amend the language at this time, but that additional language could be considered in the future.

Commissioner Wilson commented that Mr. Huber's proposal had merit and that an American Legion post on Land Unit A would no doubt be more attractive than a parking garage.

Commissioner Kelso commented that the American Legion was holding a meeting tonight to discuss its options, and reiterated his willingness to consider a future amendment, possibly through the out-of-turn Plan amendment process.

Commissioner Alcorn noted that a staff comment at the bottom of page 6 of the Task Force Recommendations included the following text: "As needed, residential development should be phased according to the availability of school capacity." He commended staff for the proposal.

There being no further comments or questions from the Commission and Mr. Hada having no closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner Kelso for action on this case. (A verbatim transcript is in the date file.)

//

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF S98-CW-1CP(B) AS PRESENTED IN THE STAFF REPORT WITH STAFF ADDITIONS, COMMENTS AND ALTERNATIVES DATED APRIL 3, 2002, WITH THE DELETION OF THE WORDS "AND SOUTHERN" IN THE LAST PARAGRAPH, FOURTH SENTENCE ON PAGE 13 OF 29.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

RZ-2001-SU-051/FDP-2001-SU-051 - PULTE HOME CORP. -
Appls. to rezone from R-1 & WS to PDH-8 & WS to permit residential development at a density of 7.7 du/ac & approval of the conceptual & final development plans on property located on the E. side of Old Centreville Rd., approx. 200 ft. N. of Singleton's Way & approx. 240 ft. S. of Sunset Ridge Rd. on approx. 6.10 ac. Comp. Plan Rec: 5-8 du/ac. Tax Map 65-2((1))13. SULLY DISTRICT. PUBLIC HEARING.

Ms. Ina Stagg, a planner with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated October 25, 2002. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Stagg explained that the applicant's proposal was in conformance with the Comprehensive Plan. She noted that frontage improvements included sidewalks connecting to adjacent developments along Old Centreville Road. She added that a parking area would be built

at the Old Centreville Road Park through a donation from the applicant and that the fences along the boundaries with Singleton's Grove and Little Rocky Run would be replaced with the consent of those homeowners associations. Ms. Stagg pointed out that the application had the support of the Western Fairfax County Citizens Association and staff.

Ms. Stagg and Mr. Steven Coniglio, with Pulte Home Corporation, responded to questions from Commissioner Wilson regarding the use of temporary signs for sales. Mr. Coniglio assured the Commission that Pulte would comply with the provisions of Proffer 11d prohibiting the use of such signs. Commissioner Wilson suggested that the applicant should ensure that no agents, contractors, marketing or sales personnel for the applicant would post illegal temporary signs.

Vice Chairman Byers called for speakers from the audience.

Mr. James Katcham, 6410 Sutler Store Court, Centreville, representing the Western Fairfax County Citizens Association, spoke in support of the application. He noted that the Association's approval was subject to the proposed proffers, especially the one prohibiting the temporary signs, and the applicant's commitment to the use of brick facades as presented to the Association.

In response to questions from Commissioner Harsel, Ms. Stagg confirmed that the applicant had proffered to 18-foot driveways in front of 23-foot wide residential units. She added that the width of a standard parking space was approximately 9 feet.

In response to questions from Commissioner Koch, Ms. Stagg agreed to amend Proffer 11d, before the Board of Supervisors' hearing, to include Commissioner Wilson's suggestion that a phrase regarding the applicant's agents be added to the prohibition of temporary sign.

There being no further comments or questions from the Commission and Ms. Swagler having no closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim transcript is in the date file.)

//

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ-2001-SU-051, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 17, 2002.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2001-SU-051, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 17, 2002, AND TO THE BOARD'S APPROVAL OF THE REZONING.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE 600-FOOT MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

SE-01-M-052 - COMBINED PROPERTIES LIMITED PARTNERSHIP - Appl. under Sect. 9-501 of the Zoning Ord. to permit a fast food restaurant & drive-through bank on property located in the N.E. quadrant of the intersection of Braddock Rd. & Backlick Rd. within the Bradlick Shopping Center on approx. 1.37 ac. zoned C-6. Tax Map 71-4((1))pt.27. MASON DISTRICT. PUBLIC HEARING.

Mark Looney, Esquire, with Cooley Godward LLP, reaffirmed the affidavit dated March 18, 2002. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Looney explained that this application was part of the ongoing revitalization efforts at the Backlick Shopping Center. He provided a Power Point presentation detailing the entire redevelopment plan, noting that the service station at the corner of Backlick and Braddock Roads, the interior parking lot landscaping and the fence to be constructed along the northeast corner of the shopping center and adjacent residences were not part of the subject application.

In response to questions from Commissioner Hall, Mr. Looney explained that the shopping center was a by-right development and that including it in this special exception application might restrict future improvements that would otherwise be allowed by right. He added that the redevelopment process was already underway and that citizens in the area could be assured that the amenities promised would be provided.

In response to further questions from Commissioner Hall, Mr. Looney said he expected the site plan for the shopping center to be approved before construction on the McDonald's commenced. Mr. Looney and Commissioner Hall discussed the color scheme proposed for the shopping

center and Mr. Looney agreed that the McDonald's restaurant would follow the same scheme and would not have lighted ribbing on the roof.

Mr. Looney responded to questions from Commissioner Harsel about availability of the site plan at the Department of Public Works and Environmental Services where citizens could view the details, the square footage of the proposed McDonald's. He noted that only 17 parking spaces would be lost due to the redevelopment, including the interior parking lot landscaping, and that the church across the street had been kept informed about the applicant's plans.

There being no further questions or comments from the Commission, Vice Chairman Byers called for speakers.

Mr. Terence Shea, 5104 Kingston Drive, Annandale, stated that he supported the redevelopment efforts. He thanked Combined Properties for working with citizens in the area and said he was glad to see that the McDonald's would have a similar color scheme and that the applicant would build the fence in the northeast corner of the site.

There being no further speakers, Vice Chairman Byers called upon Mr. Looney for a rebuttal statement. Mr. Looney declined and Ms. Swagler had no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim transcript is in the date file.)

//

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-M-052, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED APRIL 16, 2002.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER ON THE SOUTHERN PROPERTY BOUNDARY IN FAVOR OF THAT SHOWN ON THE SE PLAT.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

SE-01-Y-051 - HUMANE SOCIETY OF FAIRFAX COUNTY, INC. - Appl. under Sect. 9-501 of the Zoning Ord. to permit an

animal shelter and kennel on property located at 15911 Lee Hwy.
on approx. 12.79 ac. zoned R-C, HD & WS. Tax Map 64-1((1))22.
SULLY DISTRICT. PUBLIC HEARING.

Ms. Inda Stagg, a planner with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated December 5, 2001. There were no disclosures by Commission members.

Mr. Fran Burnszynski, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Stagg noted that the Humane Society, a non-profit organization that cared for neglected and abused animals, had leased space in Fairfax County for 25 years and, through donations and thrift shop sales, was now in the position to construct a permanent facility. She explained that an existing home on the subject property would be used for a caretaker and that existing barns and sheds would be renovated to house the animals. She added that visits to the facility would be by appointment only, with the exception of occasional open houses. Ms. Stagg stated that this was a low intensity use and noted that the Western Fairfax County Citizens Association supported the application.

In response to questions from Commissioner Byers, Ms. Stagg explained that this facility would house horses, dogs and rabbits and that cats would be housed and cared for at another facility.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary.

In response to questions from Commissioner Harsel, Mr. Burnszynski confirmed that only animals 6 months or older would be counted toward the occupancy limitations. He added that this would allow females with litters to be housed without jeopardizing capacity and that young animals not adopted by their sixth month would either be counted toward the limitations or be housed elsewhere.

There being no further comments or questions from the Commission or closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim transcript is in the date file.)

//

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-Y-051, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS, REVISED APRIL 10, 2002, REPLACING CONDITION 4 WITH THE FOLLOWING:

"THE FACILITY SHALL BE USED PRIMARILY FOR DOGS, HORSES AND RABBITS ON A PERMANENT BASIS. THE MAXIMUM NUMBER OF DOGS PERMANENTLY LOCATED ON SITE SHALL BE 27. THE MAXIMUM NUMBER OF HORSES PERMANENTLY LOCATED ON SITE SHALL BE 10. THE MAXIMUM NUMBER OF RABBITS PERMANENTLY LOCATED ON SITE SHALL BE 15. ONLY THOSE ANIMALS SIX MONTHS OR OLDER SHALL BE COUNTED TOWARD THESE LIMITATIONS. IN ADDITION, ON A TEMPORARY BASIS, ANIMALS SEIZED FOR CRUELTY, ABANDONMENT OR NEGLECT, INCLUDING, BUT NOT LIMITED TO, DOGS, HORSES, AND RABBITS, MAY BE HOUSED ON AN EMERGENCY BASIS FOR A PERIOD NOT TO EXCEED 45 DAYS."

Commissioners Wilson and de la Fe seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION FOR THE SCREENING REQUIREMENT ALONG THE NORTHERN, SOUTHERN, EASTERN AND WESTERN PROPERTY BOUNDARIES.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTHERN, SOUTHERN, EASTERN AND WESTERN PROPERTY BOUNDARIES.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE ADDITIONAL STANDARDS UNDER SECTION 9-530 TO PERMIT A STRUCTURE FOR THE CONFINEMENT, CARE AND BREEDING OF ANIMALS WITHIN 100 FEET OF THE PROPERTY LINE.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Murphy and Smyth absent from the meeting.

//

ADJOURNMENT

April 17, 2002

The meeting was adjourned at 10:29 p.m.
Peter J. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: October 15, 2003

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission